THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 21770 of 2005

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Dated: 09.12.2005

Between:

K. Abraham S/o Brahmaiah
R/o Madhira Khammam District.

..... PETITIONER

AND

Andhra Pradesh Norther Power Distribution Company Ltd.,
rep by Chairman and Managing Director, Warangal and others.

.....RESPONDENTS

ORDER:

The petitioner was appointed as a junior lineman in the then A.P. Electricity Board, through orders dated 01.08.1995. He states that he was entitled to be appointed much earlier, on the basis of his standing as an ex-casual labourer, under the scheme framed by the Board. He states that when his case was not considered at the initial stage, he filed W.P.No. 9602 of 1993 and by virtue of a direction issued therein, his case was considered and he was appointed through the orders thereafter. The petitioner contends that he was entitled to be appointed with effect from the date on which any person with equal, or less standing as ex-casual labourer was appointed. He has also furnished the names of such persons. The petitioner contends that though he made representation on several occasions, the

same was not considered. Hence, he seeks appropriate direction in this regard.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

The petitioner and large number of other candidates came to be appointed as junior linemen and other categories of employees in the State Electricity Board on the basis of a scheme framed by the Board for the benefit of the ex-casual labourer. The appointments of such casual labourers were made in the phased manner, spread, over a period of a decade, depending on the nature of verification and fulfillment of conditions, etc. It was in the context, that the petitioner came to be appointed in the year 1995. Except stating that he is entitled to be appointed with effect from an anterior date, he is not able to place before this Court any provision of law, or circular issued by the Board, or any precedent, in this regard.

It is not as if any regular seniority list was maintained in the category of ex-causal labour. When the casual labourers were engaged for different categories at different points of time, it was impossible to follow the seniority in the category of ex-casual labour. The seniority of such persons cannot be meddled with on the basis of so called seniority. Such a course would virtually change the entire structure of the establishment, if undertaken at this stage. This Court does not find any basis to grant any relief to the petitioner.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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09.12.2005

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